

**TABS A-G**  
**REDACTED IN THEIR**  
**ENTIRETY**

**TAB H**

# WINSTON & STRAWN LLP

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## Fax Cover Sheet

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FROM: Lisa Parker  
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DATE: Thursday, April 12, 2007 12:46:54 PM

### Please Deliver as Soon as Possible To:

RECIPIENT: Monica Youn, Esq.  
COMPANY: Manatt Phelps & Phillips LLP  
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LISA J. PARKER  
(312) 558-3203  
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April 12, 2007

## FACSIMILE AND U.S. MAIL

Monica Youn, Esq.  
Manatt, Phelps & Phillips LLP  
7 Times Square  
New York, New York 10036

Re: Dyson Technology Ltd., et al. v. Maytag Corporation, No. 05-434

Dear Monica:

I write you regarding the subpoena (the "Subpoena") for documents issued to Dan Miller on April 5, 2007, by your clients, the Plaintiffs and Counter-Defendants ("Dyson") in the above-referenced litigation (the "Litigation"). Defendant/Counter-Plaintiff Maytag Corporation<sup>1</sup> and Mr. Miller (collectively, "Respondents") submit the following objections to the Subpoena.

## General Objections

1. Respondents object to the Subpoena to the extent it seeks information that is not relevant to the subject matter of the Litigation and/or is not reasonably calculated to lead to the discovery of admissible evidence.

<sup>1</sup> Maytag owns The Hoover Company, which, when the lawsuit was filed, was engaged in the design, manufacture and sale of Hoover brand vacuum cleaners. Effective January 31, 2007, The Hoover Company transferred to various unrelated entities substantially all of its assets and liabilities relating to the floorcare business, including all rights and liabilities associated with this litigation and all assets previously owned by Maytag or its subsidiaries relating to the floorcare business. The acquiring parties – Hoover Company I LP, Hoover General LLC, Hoover Limited LLC and Hoover, Inc. – retained no ownership of, or affiliation with, Maytag, its subsidiaries or The Hoover Company after the deal closed. Accordingly, Maytag filed a Motion to Join Parties, which seeks leave to add Hoover Company I LP, Hoover General LLC, Hoover Limited LLC and Hoover, Inc. to this litigation as a result of the recent asset transfer and purchase agreement.

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M. Youn

April 12, 2007

2. Respondents object to the Subpoena to the extent it seeks information that is not relevant nor related to the opinions contained in the Expert Report of Dan Miller submitted on March 13, 2007 (the "Report").
3. Respondents object to the Subpoena to the extent it seeks to impose obligations beyond those imposed by the Federal Rules of Civil Procedure governing expert discovery and discovery generally.
4. Respondents object to the Subpoena to the extent it calls for production of "documents or objects" that have already been produced by a party or a third party in this litigation.
5. Respondents object to the Subpoena to the extent the "documents or objects" requested are overly broad, unduly burdensome, calculated to harass, or designed to obtain irrelevant materials.
6. Respondents object to the Subpoena to the extent the "documents or objects" requested are vague and ambiguous.
7. Respondents object to the Subpoena to the extent it requests "documents or objects" not in Mr. Miller's possession, custody, or control, or that do not exist.
8. Respondents object to the Subpoena to the extent it requests "documents and objects" in the possession of non-parties.
9. Respondents expressly reserve the right to supplement these objections with additional objections or information as such information becomes available to Respondents in the course of this Litigation.
10. Respondents object to the Subpoena as it requests "documents or objects" which were previously produced to Dyson and/or are in the possession of Dyson. As such, Respondents object to the Subpoena which clearly is for the purpose of harassing Respondents.

These General Objections are incorporated by reference into each of Respondents' specific responses below.

**Specific Objections to the Documents and Objects Requested of Mr. Miller**

1. **Any and all documents relied upon by you in connection with rendering the opinions set forth in your Report.**

**Response:** Respondents specifically object to this Request to the extent it calls for production of documents that have already been produced by a party or a third party in this

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April 12, 2007

litigation. Subject to and without waiving the above General Objections, Respondents state that Mr. Miller attached an addendum of all documents considered by him in preparing his Report, whether or not relied upon, as Appendix 2 to his Report. All documents listed in Appendix 2 had been previously produced by parties or non-parties in this Litigation and, therefore, all documents considered by Mr. Miller in preparing his Report were already in the possession, custody, or control of Dyson. If any documents considered by Mr. Miller in preparing his Report had not already been produced in this Litigation, such documents were either attached to Mr. Miller's Report as an Exhibit (i.e., Exhibit 2), or subsequently produced by Maytag. Accordingly, Respondents state that they have already produced all documents relied upon by Mr. Miller in connection with rendering the opinions set forth in his Report.

**2. Any and all documents considered by you in preparing your Report, whether or not relied upon.**

**Response:** Respondents specifically object to this Request to the extent it calls for production of documents that have already been produced by a party or a third party in this litigation. Subject to and without waiving the above General Objections, Respondents state that Mr. Miller attached an addendum of all documents considered by him in preparing his Report, whether or not relied upon, as Appendix 2 to his Report. All documents listed in Appendix 2 had been previously produced by parties or non-parties in this Litigation and, therefore, all documents considered by Mr. Miller in preparing his Report were already in the possession, custody, or control of Dyson. If any documents considered by Mr. Miller in preparing his Report had not already been produced in this Litigation, such documents were either attached to Mr. Miller's Report as an Exhibit (i.e., Exhibit 2), or subsequently produced by Maytag.

WINSTON & STRAWN LLP

M. Youn  
April 12, 2007

Accordingly, Respondents state that they have already produced all documents considered by Mr. Miller in preparing his Report, whether or not relied upon.

**3. Any and all drafts of your Report.**

**Response:** Subject to and without waiving the above General Objections, Respondents state that no such documents exist.

**4. Any and all documents and communications between you and Maytag, or with its representatives, including, but not limited to, Winston & Strawn, John Balough, and John Rice, regarding your Report, anticipated trial or deposition testimony and/or testing concerning John Balough's supplemental expert report dated February 13, 2007.**

**Response:** Respondents object to this Request on the grounds that it is overly broad, and unduly burdensome. Respondents object to this Request to the extent it seeks information and documents that are not relevant nor related to the expert opinions contained in Mr. Miller's Report. Respondents further object to this Request to the extent it calls for production of documents that have already been produced by a party or a third party in this litigation. Subject to and without waiving the above General Objections, Respondents state that they have already produced all relevant documents responsive to this Request that were in the possession, custody, or control of Respondents.

**5. All publications by you since January 1, 1997.**

**Response:** Subject to and without waiving the above General Objections, Respondents state that no such documents exist.

**6. Any and all transcripts of any prior testimony given in a case in which you were designated or qualified as an expert.**

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M. Youn  
April 12, 2007

**Response:** Subject to and without waiving the above General Objections, Respondents state that no such documents exist.

**7. Any and all documents and communications as required by Federal Rule of Civil Procedure 26(a)(2)(B).**

**Response:** Respondents specifically object to this Request to the extent it calls for production of documents that have already been produced by a party or a third party in this litigation. Subject to and without waiving the above General Objections, Respondents state that they have already produced all documents responsive to this Request.

Sincerely,



Lisa J. Parker

cc: Kimball R. Anderson  
Stephen P. Durchslag  
Ray L. Weber  
Steven F. Reich  
Richard C. Pepperman II  
Tamar Feder  
Anthony DiSarro  
Ronald Y. Rothstein  
Christopher Cole  
John Libby

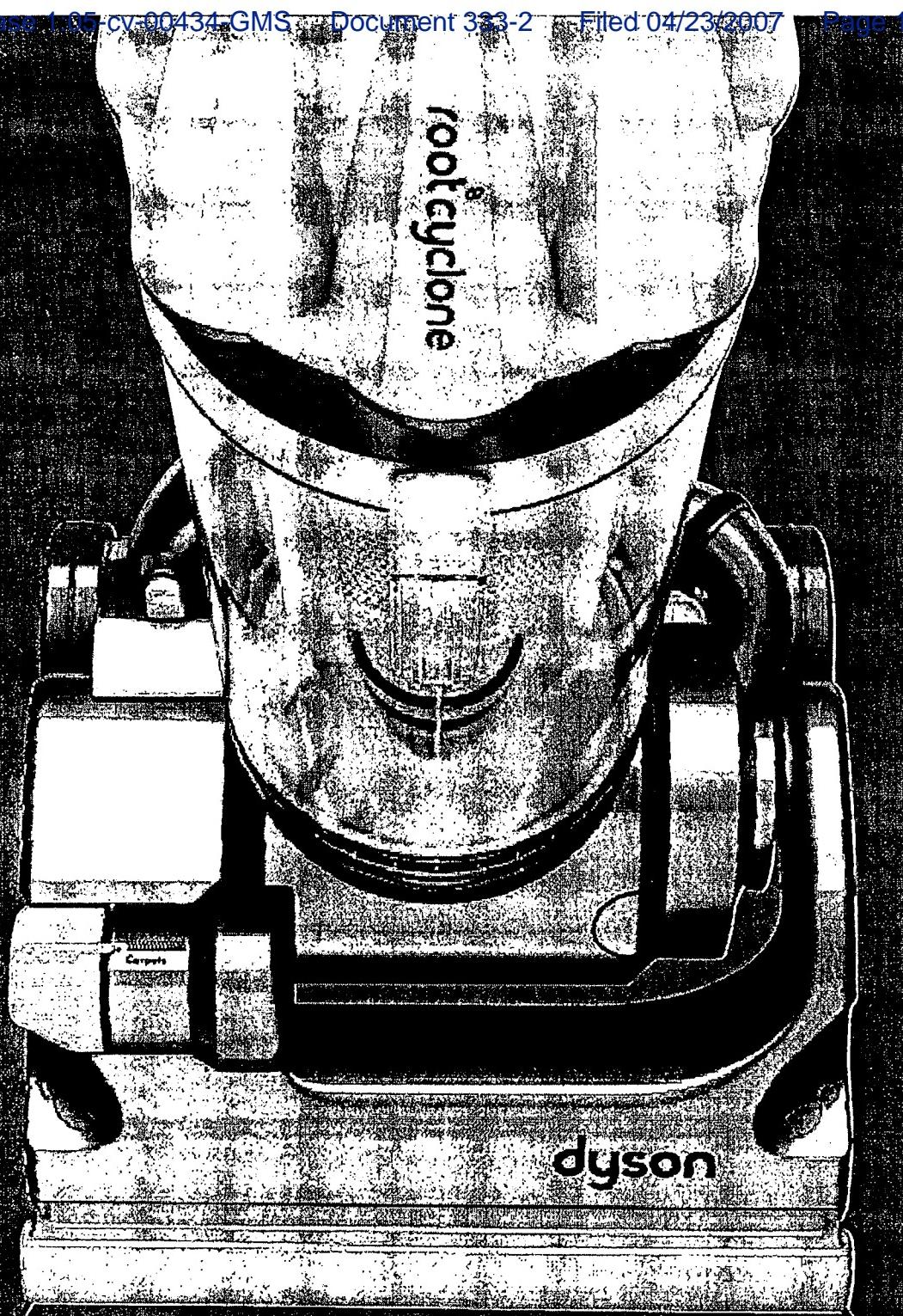
**TAB I**  
**REDACTED IN ITS**  
**ENTIRETY**

**TAB J**

DC  
07

**Owner's Manual**

Please read this guide carefully before use.

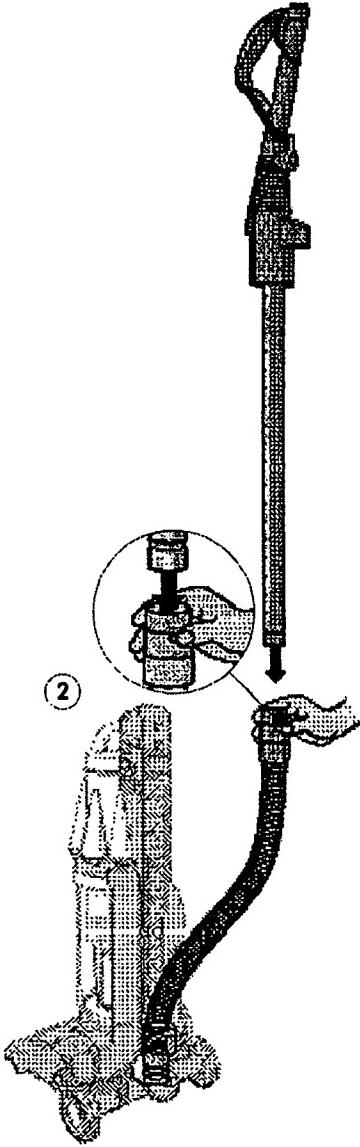
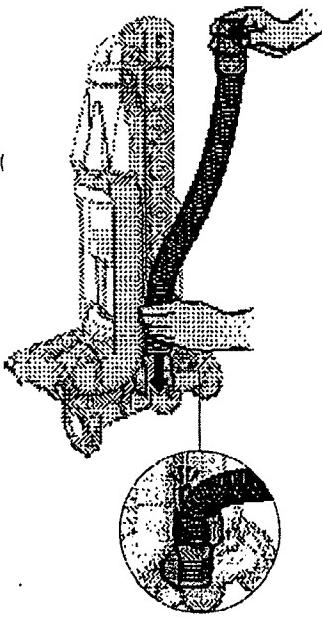
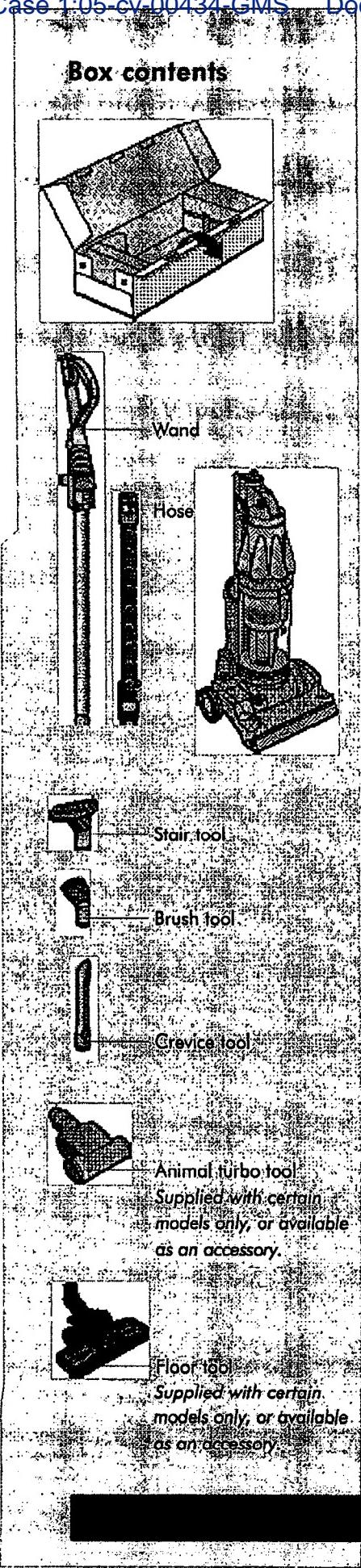


**Contents**

**Owner's Manual**

Please read this guide carefully before use.

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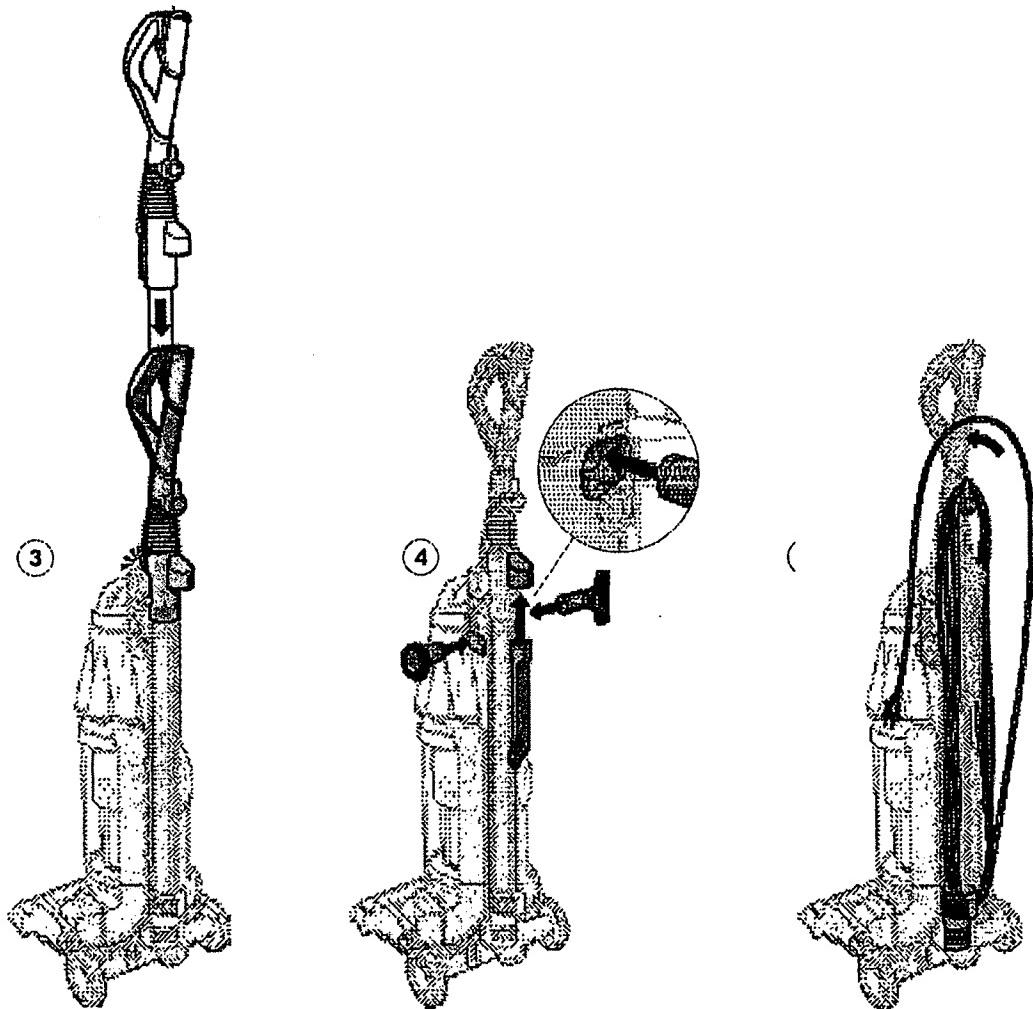
**Assembling your DCO7****Assembling your DCO7**

This machine was inspected and packaged carefully before being shipped from the factory.

If you need assistance during assembly or operation, please call the Dyson Helpline on 1-866-693-9766.

- 1 Slide the hose into the guides at the back of the machine, pushing the tab securely into place.

- 2 Pressing the wand release button, slide the wand down inside the hose.

**Assembling your DC07**

**3** Slide the wand into the top of the machine until it clicks securely into place. You may need to press firmly and should hear a 'click' sound.

**4** Push the brush and stair tools securely into the storage holes on either side of machine. Fit the crevice tool into the tool clip on the back of the wand.

**5** Store the cord safely by winding counter-clockwise around the cord winders and securing with the cord clip.

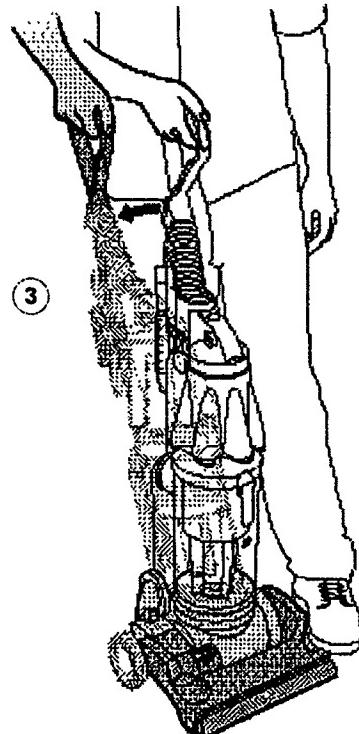
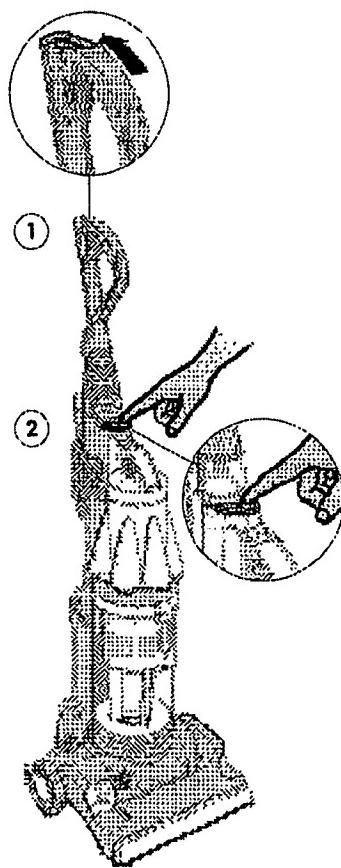
**Using your DCO7****Using your DCO7****⚠ WARNING**

- To reduce the risk of electric shock and personal injury, this appliance has a polarized plug (one blade wider than the other). This plug will fit in a polarized outlet only one way. If the plug does not fit fully in the outlet, reverse the plug. If it still does not fit, contact a qualified electrician to install the proper outlet. Do not force the plug into the outlet. Do not alter the plug in any way.

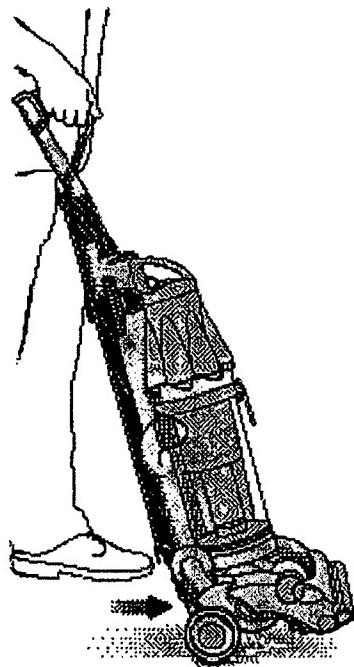
**⚠ CAUTION**

- Keep hair, loose clothing, fingers, and all parts of the body away from openings and moving parts.
- This machine is fitted with a belt protection system. If any item becomes caught in the brushbar (e.g. rug fringe), you will hear a loud 'ratchet' warning noise. To rectify, turn the machine off, disconnect from the electrical outlet and clear any obstruction (see page 15), checking that the brush control is set to the correct position for the floor surface before re-starting the machine.

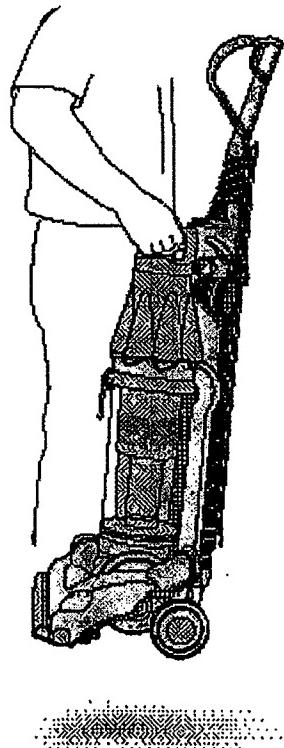
**Please note:** This machine is intended for domestic use only. Fine dust such as plaster dust or flour should only be vacuumed in small amounts.

**Switching on/off**

- Make sure you have read and understood all safety instructions before using the machine for the first time. The wand cap should be closed when not using the tools.
- Plug into electrical outlet and press the on/off switch.
- To start vacuuming, push the front of the cleaner head down with your foot and tilt the handle backwards.

**Using your DCO7****Transporting your Dyson**

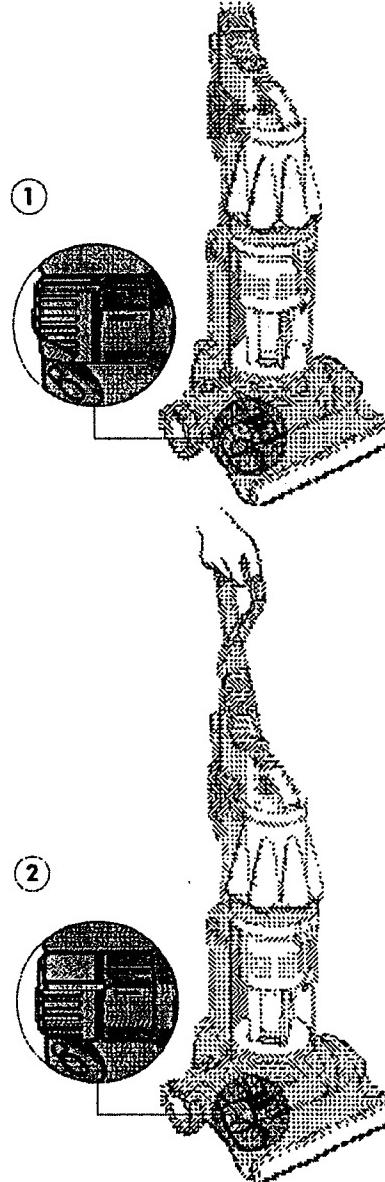
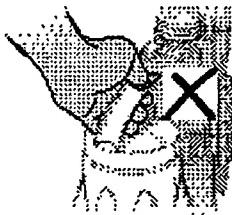
To move the machine from room to room, ensure it is upright, with the cord stored on the cord winders and the wand securely in place. Tilt back on the rear wheels and push forward.

**Carrying your DCO7**

Your DCO7 should be lifted by using the carry handle.

**CAUTION**

- Do not shake the machine when carrying.
- For your safety do not press the cyclone release catch when carrying your machine.

**Brush control system**

Ensure the machine is in an upright position before adjusting the setting.

**1 Bare floors**

Brushbar does not turn for delicate rugs and hard/bare floors.

**2 Carpets**

Brushbar turns for normal carpet cleaning.

**Please note:** The brushbar will not turn until you begin to vacuum.

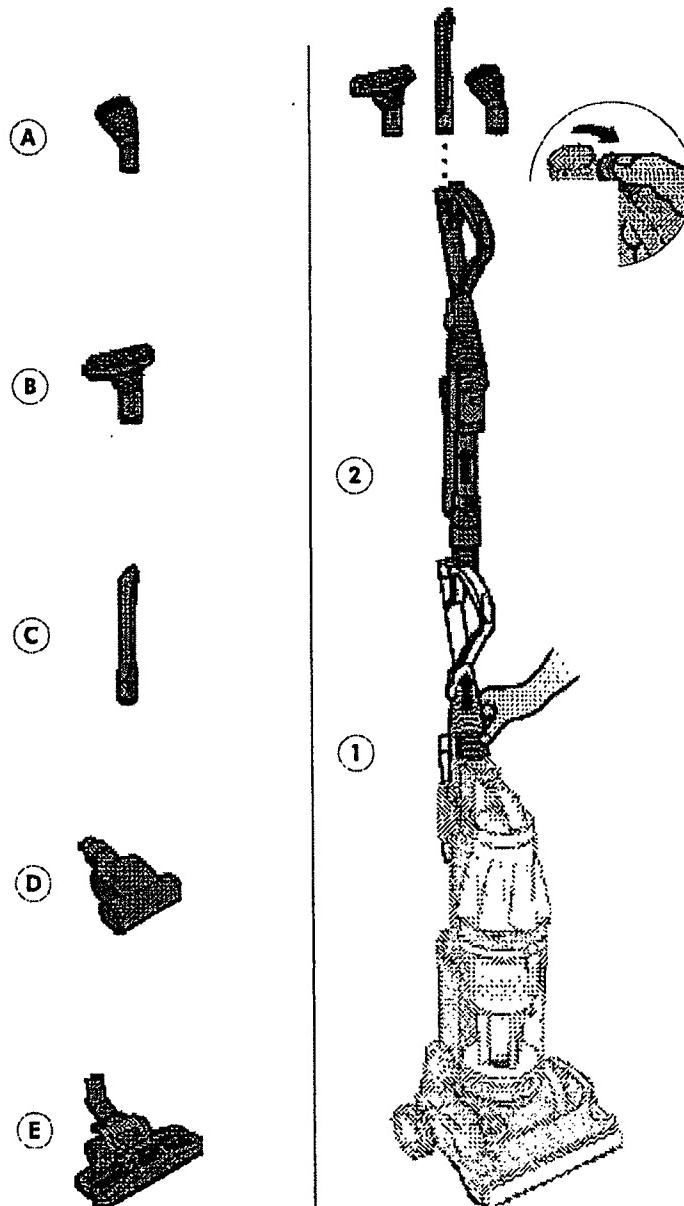
## Using the tools

### Using the tools

#### Choosing the right tool

The tools allow you to clean surfaces above the floor and to reach hard to clean areas. Ensure the machine is in an upright position before using tools.

- A Brush tool** – with soft bristles to dislodge dust and cobwebs. The brush head twists to make cleaning easier.
- B Stair tool** – with velour strips to pick up hairs and an agitating edge to lift the carpet. The tool channels airflow downward for better pick-up without sticking to upholstery. The head twists to make cleaning easier.
- C Crevice tool** – reaches deep into nooks and crannies. Ideal for cleaning along baseboards and in tight corners. The tool channels airflow downward for better pick-up without sticking.
- D Animal turbo tool** – the air powered brushbar ensures effective removal of pet hair and fibers in confined spaces such as stairs, upholstery and in the car. Supplied with certain models only, or available as an accessory for other models – contact the Dyson Helpline or [www.dyson.com](http://www.dyson.com) to order.
- E Floor tool** – to reach under furniture. Adjustable for hard floors or carpets. Maintains perfect contact with the floor to optimize pick-up. Supplied with certain models only, or available as an accessory for other models – contact the Dyson Helpline or [www.dyson.com](http://www.dyson.com) to order.



#### How to clean your tools

The brush tool, stair tool and crevice tool may be washed in warm water with a detergent. Rinse and air dry thoroughly before using. You may wipe the outside of the floor tool or turbo tool with a damp cloth, but do not submerge in water. Do not attempt to clean any tools when they are attached to the machine.

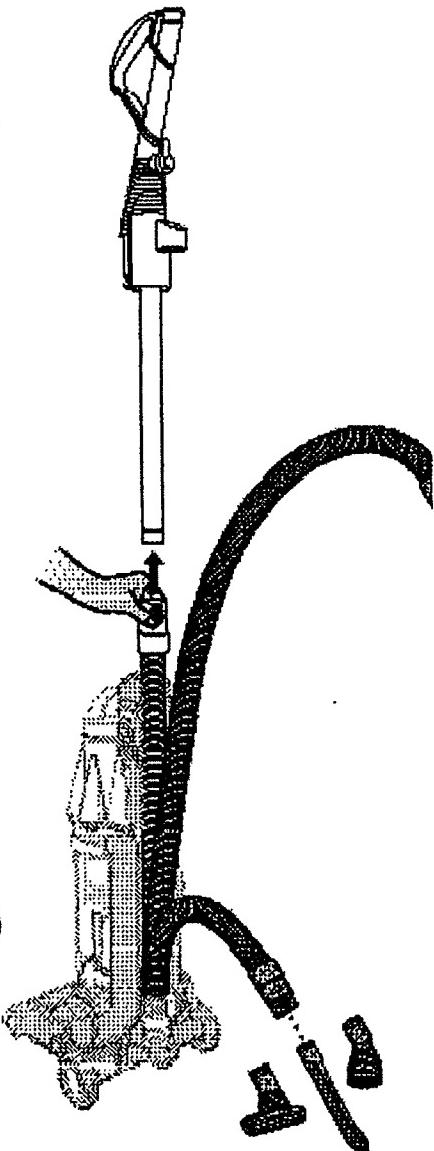
#### Attaching tools

- 1 Press the quick-draw hose release to detach the hose/wand from the machine.
- 2 Slide the wand to the end of the hose.

All Dyson tools can be used in the following ways:

#### Wand mode

Slide back the wand cap and fit one of the tools directly on to the wand handle.

**Using the tools**

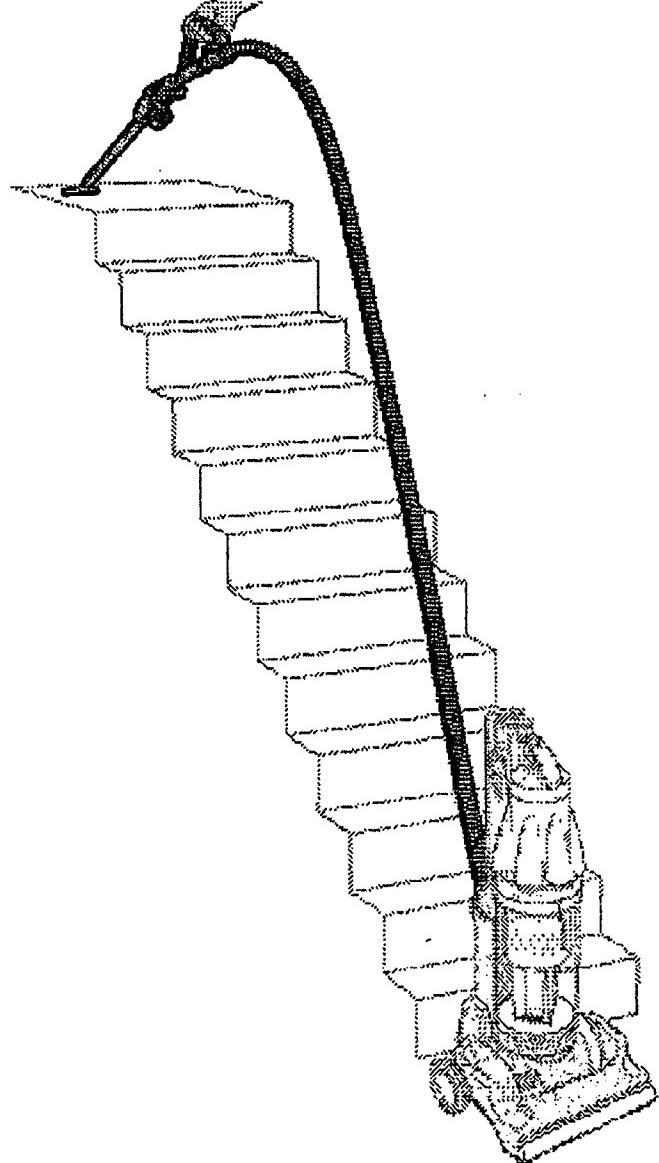
Press the wand release button and remove the wand. Fit one of the tools directly on to the end of the hose. Use tools for confined spaces such as car cleaning.

**⚠ FOR YOUR SAFETY**

- When the hose is fully extended, grasp firmly by the hose, not the tool.



Reverse the wand and click into the end of the hose, pressing the wand release button to ensure a correct fit. Fit one of the tools on to the end of the wand. Use tools for easier handling in hard to reach areas.

**cleaning**

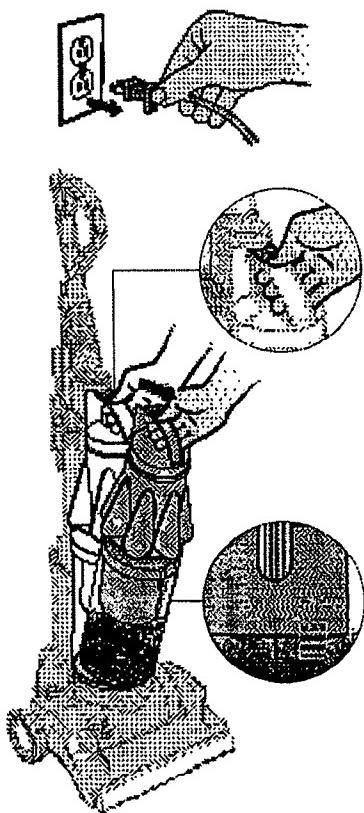
Use the hose and stair tool or turbo tool for stair cleaning. The hose will stretch all the way to the top of an average staircase so you can leave your machine at the bottom.

**⚠ CAUTION**

- To avoid personal injury and to prevent the machine from falling when cleaning stairs, always place it at the bottom of the stairs.

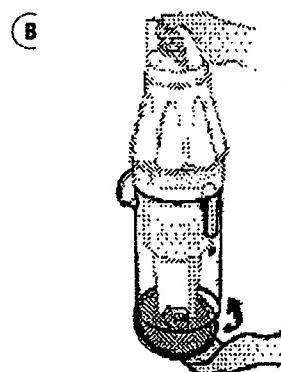
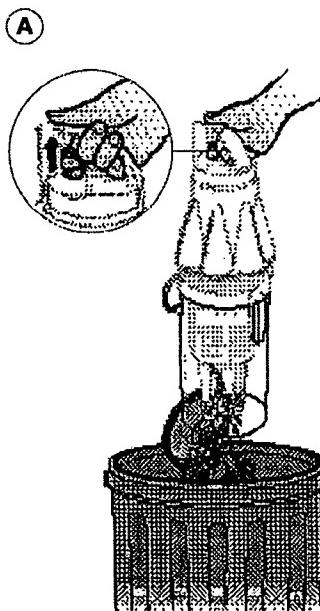
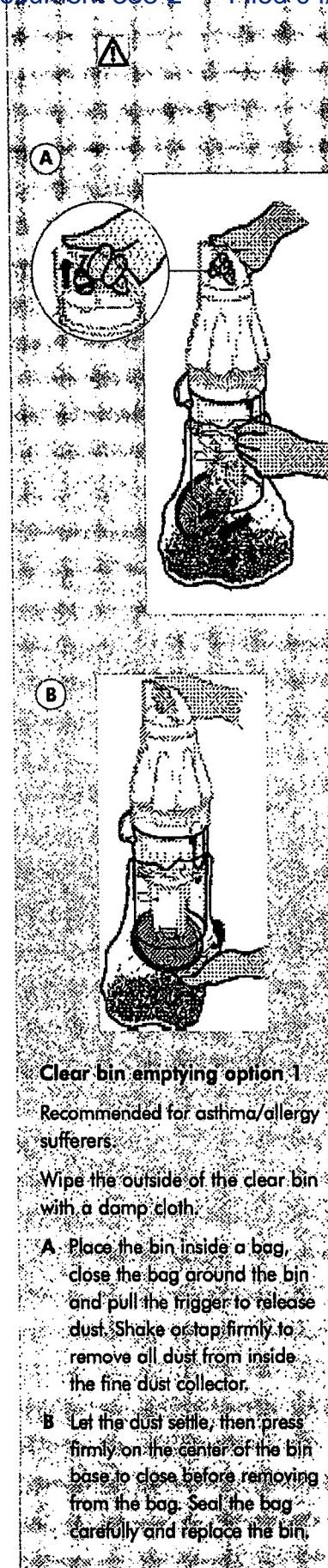
**Emptying the clear bin™****Emptying the clear bin™****⚠ CAUTION**

- Disconnect the machine from the electrical outlet before emptying the bin. Failure to do so could result in electric shock or personal injury.



To ensure your machine continues to clean effectively, the clear bin must be emptied when the dust reaches the **MAX** mark.

Press the cyclone release catch with your thumb to remove the clear bin assembly from the machine.

**Clear bin emptying option 1**

Recommended for asthma/allergy sufferers.

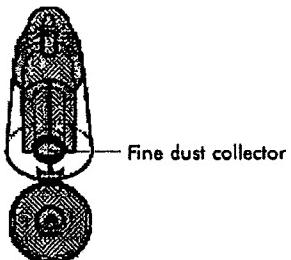
Wipe the outside of the clear bin with a damp cloth.

A Place the bin inside a bag, close the bag around the bin and pull the trigger to release dust. Shake or tap firmly to remove all dust from inside the fine dust collector.

B Let the dust settle, then press firmly on the center of the bin base to close before removing from the bag. Seal the bag carefully and replace the bin.

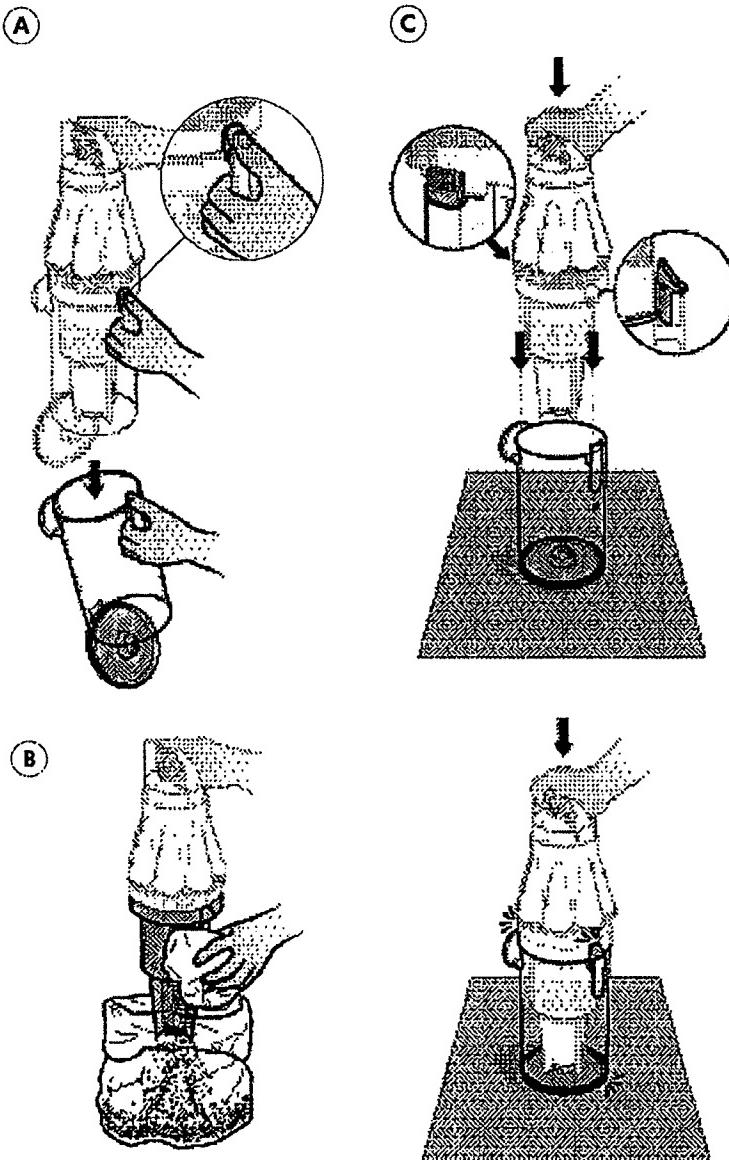
**Clear bin emptying option 2**

A Pull the trigger to release dust directly into a garbage can or wastebasket. Shake or tap firmly to remove all dust from inside the fine dust collector.



....., ... the center of the clear bin base to close.

## Emptying the clear bin™



### Shroud cleaning (when necessary)

To remove any build-up of lint or large dust particles on the shroud:

Ensure the clear bin is empty and the clear bin base is open.

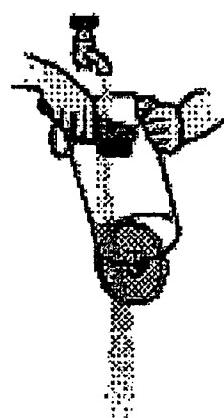
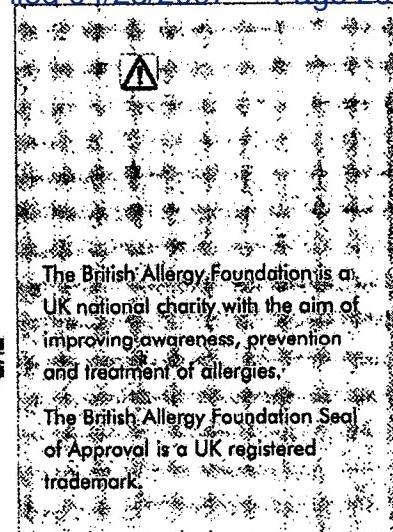
- A Press the bin release catch to remove the clear bin.
- B Clean the shroud with a cloth or dry brush to remove the lint and dust.

### **CAUTION**

- Do not use the machine without the clear bin in place.

To reassemble the clear bin, place on the floor with the clear bin base closed.

- C Holding the carry handle, put the cyclone assembly inside the clear bin, line up the front and rear catches and push down to click the catches into place.
- D Ensure the clear bin is secure before replacing on the machine.

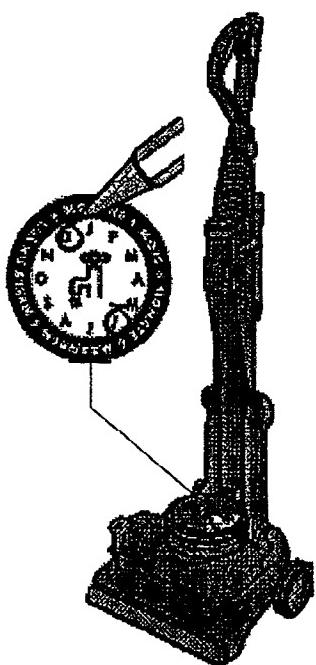
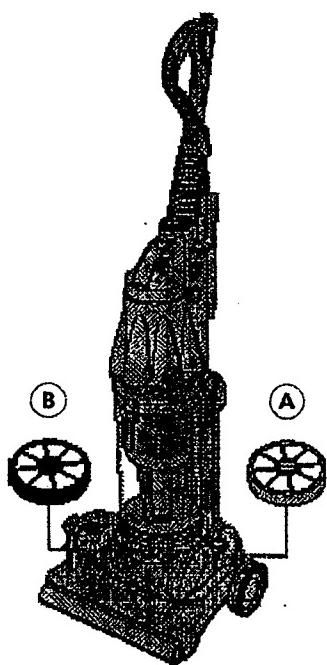
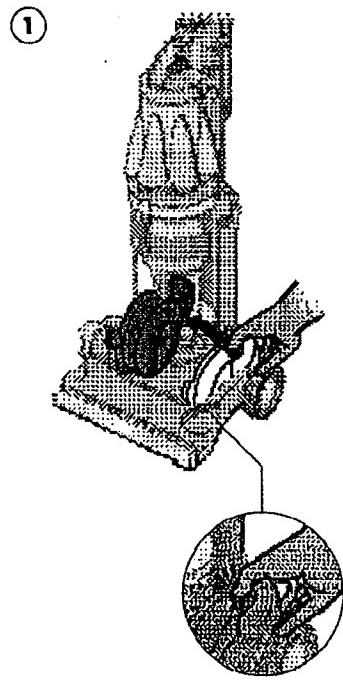
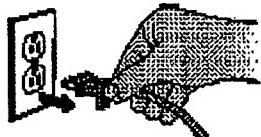


### Clear bin cleaning (optional)

- You may rinse the clear bin with water. Rinse only the clear bin – do not rinse the inner cyclone, shroud or cones.
- Do not use detergents.
- Do not immerse any other part of the machine in water.
- Ensure the clear bin is completely dry before replacing.

**Cleaning the lifetime filter****Cleaning the lifetime filter****CAUTION**

- Disconnect the machine from the electrical outlet before removing filter. Failure to do so could result in electric shock or personal injury.



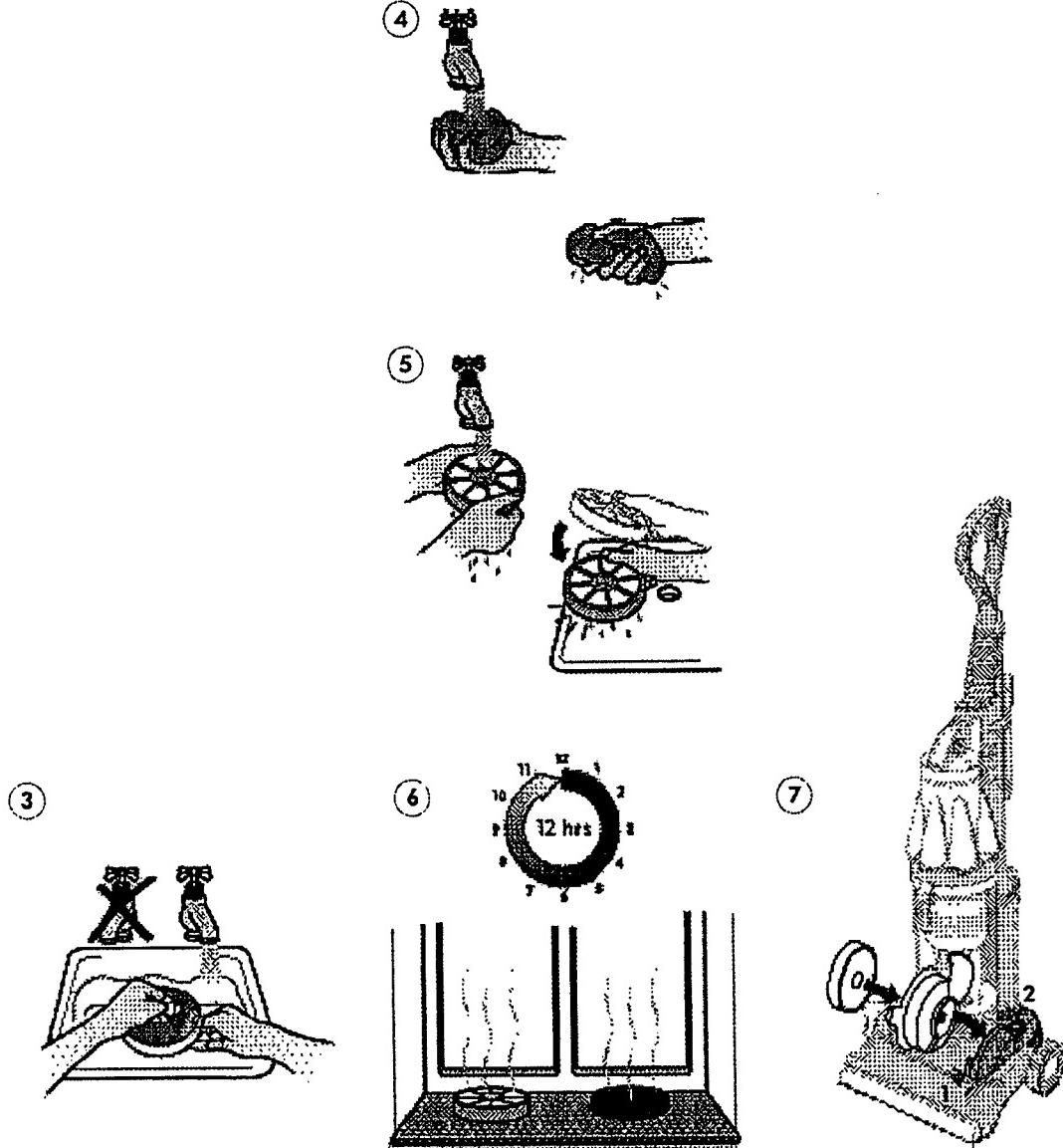
**A Lifetime pre-motor filter**  
Rinse at least once every six months in accordance with the instructions opposite. If machine is regularly used for vacuuming very fine dust such as plaster dust or carpet fresheners, you may need to rinse more often.

**B Lifetime post-motor filter**  
This is a permanent lifetime filter – it does not require rinsing or replacement. Do not remove or attempt to rinse this filter.

To remind you when to rinse your pre-motor filter, circle your two 6-monthly rinses on the sticker provided under the clear bin.

- 1 Press the filter release catch to remove the filter housing from the machine.
- 2 Remove the filter from the housing.

## Cleaning the lifetime filter



Only the blue foam pad and the yellow cage should be rinsed – not the filter housing.

- 3** Submerge the filter and cage in cold water and rinse thoroughly.

### ⚠ CAUTION

- Rinse in cold water only.
- Do not use detergent.
- Do not put in a washing machine or dishwasher.

- 4** Rinse the blue foam pad and squeeze gently, repeating until the water runs clear.

- 5** Rinse the yellow cage and tap firmly, repeating until the water runs clear.

- 6** Leave in a warm place to dry for 12 hours. Make sure the filter is completely dry before replacing in the machine.

### ⚠ CAUTION

- Do not dry in an oven or microwave.
- Do not dry in a clothes dryer.
- Do not dry near an open flame.

- 7** When the blue filter pad and yellow cage are completely dry, replace in the filter housing and click back into machine, pressing points 1 and 2 firmly to secure.

### ⚠ CAUTION

- Do not use the machine without the filter in place.